

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MICHAEL MARCUS,

Plaintiff,

-against-

ORDER

14-CV-7426 (JS) (SIL)

Acting Warden, NEWTON, in his
Official and Individual Capacity;
Deputy Warden of Security, BREELAND,
in her Individual Capacity; Assistant
Deputy Warden, JONES, in his Individual
Capacity; and Security Captain, THOMAS,
in his Individual Capacity,

Defendants.

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APPEARANCES

For Plaintiff: Michael Marcus, pro se
441-14-08109
Rikers Island - GMDC
15-15 Hazen Street
East Elmhurst, NY 11370

For Defendants: No appearances.

SEYBERT, District Judge:

On December 5, 2014, incarcerated pro se plaintiff Michael Marcus ("Plaintiff") filed a Complaint in the Southern District of New York pursuant to 42 U.S.C. § 1983 ("Section 1983") against Deputy Newton, Deputy Warden of Security Breeland, Assistant Deputy Warden Jones, and Security Captain Thomas, all of whom are alleged to work at Rikers Island-George Motchan Detention Center ("GMDC"), (collectively, "Defendants"), accompanied by an application to proceed in forma pauperis.

By Transfer Order dated December 12, 2014, Plaintiff's case was transferred from the Southern District of New York to this

Court. (See December 12, 2014 Transfer Order, Preska, C.J. (Docket Entry 4.) Upon review of the declaration in support of the application to proceed in forma pauperis, the Court finds that Plaintiff's financial status qualifies him to commence this action without prepayment of the filing fee. See 28 U.S.C. §§ 1914(a); 1915(a)(1). Therefore, Plaintiff's request to proceed in forma pauperis is GRANTED.

The Clerk of the Court is directed to forward copies of the Summonses, Complaint, and this Order to the United States Marshal Service for service upon the Defendants without prepayment of fees, and to serve notice of entry of this Order in accordance with Rule 77(d)(1) of the Federal Rules of Civil Procedure by mailing a copy of this Order to the pro se Plaintiff at his last known address. See FED. R. CIV. P. 5(b)(2)(C).

SO ORDERED.

/s/ JOANNA SEYBERT
Joanna Seybert, U.S.D.J.

Dated: February 3, 2015
Central Islip, New York